

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 18, 2007

MISC 08 0010

Present - Hon. David B. Saxe,
David Friedman
John W. Sweeny, Jr.
James M. McGuire
Bernard J. Malone, Jr.,

Justice Presiding,

Justices.

FILED

DEC 18 2007

COGAN, J.

In the Matter of Catherine M. Conrad
an attorney and counselor-at-law: IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

Departmental Disciplinary Committee
for the First Judicial Department
Petitioner, JAN 08 2008 ★

Catherine M. Conrad
(OCA Atty. Reg. No. 2916021),
Respondent.

BROOKLYN OFFICE

M-4837

Admitted

11/13/01

2385 Banker Avenue

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Bronx, N.Y. 10467

The Departmental Disciplinary Committee for the First Judicial Department, by Thomas J. Cahill, its Chief Counsel (Judith N. Stein, of counsel) having moved this Court on October 22, 2007, for an order pursuant to 22 NYCRR 603.4(e)(1)(i), immediately suspending respondent (who was admitted to practice as an attorney and counselor at law in the State of New York at a Term of the Appellate Division of the Supreme Court for the Second Judicial Department on January 26, 2000) from the practice of law in the State of New York until further order of this Court, based upon her wilful failure to cooperate with the Committee's investigation and uncontested evidence of respondent's professional misconduct which immediately threatens the public interest,

And respondent having failed to appear herein and having failed to interpose an answer to the motion,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, and upon the Opinion Per Curiam filed herein, it is unanimously,

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(M-4837)

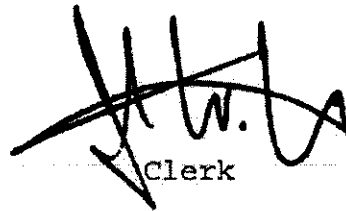
-2-

December 18, 2007

Ordered that the motion is granted and respondent is suspended from the practice of law in the State of New York, effective the date hereof, until such time as disciplinary matters pending before the Committee have been concluded and until further order of this Court, and it is further,

Ordered that respondent is commanded to desist and refrain from the practice of law in any form, either as principal or agent, clerk or employee of another; that respondent is forbidden to appear as an attorney or counselor-at-law before any court, judge, justice, board, commission or other public authority; that respondent is forbidden to give to another an opinion as to the law or its application or any advice in relation thereto. Respondent is directed to fully comply with the provisions of Title 22, Section 603.13, of the Rules of this Court, a copy of which is annexed hereto and made a part hereof.

ENTER:


Clerk

APPELLATE DIVISION SUPREME COURT FIRST DEPARTMENT
STATE OF NEW YORK

I, JOHN W. McCONNELL, Clerk of the Appellate Division of the Supreme Court First Judicial Department, do hereby certify that I have compared this copy with the original thereof filed in said office on 12/18/07 and that the same is a correct transcript thereof, and of the whole of said original.
IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of this Court on 12/18/07.


CLERK

SUPREME COURT, APPELLATE DIVISION
FIRST JUDICIAL DEPARTMENT

DEC 18 2007

David B. Saxe,	Justice Presiding,
David Friedman	
John W. Sweeny, Jr.	
James M. McGuire	
Bernard J. Malone, Jr.,	Justices.

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In the Matter of Catherine M. Conrad,
an attorney and counselor-at-law:

Departmental Disciplinary Committee for the First Judicial Department, Petitioner,	M-4837
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Catherine M. Conrad,
Respondent.

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Disciplinary proceedings instituted by the Departmental
Disciplinary Committee for the First Judicial Department.
Respondent, Catherine M. Conrad, was admitted to the Bar of
the State of New York at a Term of the Appellate Division of
the Supreme Court for the Second Judicial Department on
January 26, 2000.

Thomas J. Cahill, Chief Counsel, Departmental
Disciplinary Committee, New York
(Judith N. Stein, of counsel), for petitioner.

No appearance for respondent.

Motion No. 4837 - October 22, 2007

In the Matter of Catherine M. Conrad, An Attorney

PER CURIAM

Respondent Catherine M. Conrad was admitted to the practice of law in the State of New York by the Second Judicial Department on January 26, 2000, and at all times relevant to this proceeding has maintained an office for the practice of law within the First Department.

The Departmental Disciplinary Committee now seeks an order, pursuant to 22 NYCRR 603.4(e)(1)(i), immediately suspending respondent from the practice of law based on her failure to cooperate with the Committee's investigation into two complaints alleging professional misconduct which threatens the public interest.

One of the complaints was brought by an attorney who appeared in an action in the U.S. District Court for the Eastern District of New York in which respondent represented an opposing party. This attorney alleged that respondent violated court orders and failed to appear as directed, ultimately resulting in the dismissal of the action. The second complaint was brought by an attorney who had hired respondent to appear and submit opposition to an order to show cause; he discovered thereafter that respondent had failed to do so, and as a result the

application he had hired respondent to oppose was granted on consent.

Respondent has failed to date to respond to the Committee's requests for responses to these complaints, or to subpoenas thereafter served on her office.

This Court may suspend an attorney from the practice of law pending consideration of charges of professional misconduct upon a finding that she is "guilty of professional misconduct immediately threatening the public interest" (22 NYCRR 603.4[e][1]). Such a finding may be based upon "the attorney's default in responding to the petition or notice, or the attorney's failure to submit a written answer to pending charges of professional misconduct or to comply with any lawful demand of this court or the Departmental Disciplinary Committee made in connection with any investigation, hearing, or disciplinary proceeding" (22 NYCRR 603.4[e][1][i]). Respondent's failure to respond and to appear pursuant to subpoenas "evinces a shocking disregard for the judicial system, and can only be interpreted as a deliberate and willful attempt to impede the Committee's investigation" (see *Matter of Gordon*, 142 AD2d 135, 137 [1988]).

Accordingly, the Committee's motion should be granted and respondent suspended from the practice of law, effective immediately, until such time as disciplinary matters pending

before the Committee have been concluded and further order of
this Court.

All concur.

Order filed.